

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RONALD T. WHITAKER, SR.,	:	CIVIL ACTION NO. 1:08-CV-0627
Co-Administrator of the Estate of	:	
Ronald Taylor Whitaker, Jr., et al.,	:	
	:	
Plaintiffs	:	(Judge Conner)
	:	
v.	:	
	:	
SPRINGETTSBURY	:	
TOWNSHIP, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 4th day of December, 2008, upon consideration of the personnel file of officer Gary Utter (“Utter”), which was produced *in camera* pursuant to the order of court (Doc. 27) dated November 14, 2008,¹ and it appearing that Utter’s personnel file contains no pre-incident psychological documentation that is discoverable or relevant to the above-captioned litigation, it is hereby ORDERED that plaintiffs’ request that defendants produce “post-incident counseling records” is DENIED as moot.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ The court’s order of November 14, 2008, required defendants to produce officer Utter’s personnel file so that the court could review the file *in camera* to confirm that it contained no pre-hire psychological evaluations, nor any post-hire, pre-incident evaluations, which might be discoverable. (See Doc. 27 at 7.)